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FOIA

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1	MEMO	JOHN G. ROBERTS TO FRED F. FIELDING RE. VIOLATION OF PERSONNEL STATUTES [partial]	1	10/25/1983	B6	554
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3	LETTER	K. WILLIAM O'CONNOR TO FRED FEILDING RE. VIOL. OF PERSON. STATUTES 179687 [partial]	1	10/14/1983	B6	558
4	LETTER	TO JAMES BAKER RE. INTERSTATE COMMERCE COMM. 180761 [partial]	1	ND	B6	559
5	MEMO	JOHN G. ROBERTS TO FRED F. FIELDING RE. CORRESPONDENCE FROM SPNCER HICKMAN CONCERNING JACKIE PRESSER	1	10/25/1983	B6	560
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Freedom of Information Act - [5 U.S.C. 552(b)]

- B-1 National security classified information [(b)(1) of the FOIA]
- B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA]
- B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- B-5 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- B-6 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- B-7 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- B-8 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

THE WHITE HOUSE

WASHINGTON

October 25, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Allegation of Violation of Personnel Statutes by [REDACTED]

bb

The Special Counsel of the Merit Systems Protection Board has written to advise you that he has completed his investigation into an allegation that [REDACTED] violated personnel statutes in the course of "RIFing" an employee. Special Counsel O'Connor has concluded that the allegation is unsubstantiated.

bb

This notice to you is in one sense gratuitous, since the pertinent statute only requires a report to the President by the Special Counsel when he determines that a Presidential appointee has committed a violation. 5 U.S.C. § 1206(g)(2). O'Connor has advised us, however, that he prefers to notify our office when he determines that an allegation is unsubstantiated as well. He has explained that since these allegations often become public it is only fair to the individual involved to at least let our office know when the Special Counsel has completed an inquiry and determined that no violation took place. I have drafted a brief acknowledgment.

Attachment

THE WHITE HOUSE
WASHINGTON

October 25, 1983

Dear Mr. O'Connor:

Thank you for your letter of October 14. In that letter you advised us that you had completed an investigation into an allegation that [REDACTED] had engaged in improper personnel practices, and concluded that the allegation was unsubstantiated. b6

Thank you for advising us of the disposition of this matter.

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

Mr. K. William O'Connor
Special Counsel
U.S. Merit Systems Protection
Board
1120 Vermont Avenue, N.W.
Washington, D.C. 20419

FFF:JGR:aea 10/25/83
bcc: FFFielding/JGRoberts/Subj/Chron

OFFICE OF THE SPECIAL COUNSEL
U. S. Merit Systems Protection Board



The Special Counsel

120 Vermont Avenue, N.W.
Washington, D.C. 20419

October 14, 1983

The Honorable Fred F. Fielding
Counsel to the President
The West Wing
The White House
Washington, DC 20500

179687 *cc*

Re: OSC File Number 52-2-00019 (Allegation of
Violation of Personnel Statutes by [redacted])

b6

Dear Mr. Fielding:

As you know, pursuant to the provisions of 5 U.S.C. 1206(g)(2), the Special Counsel is required to report, after investigation, to the President after making a determination that a Presidential appointee has committed a violation of specific personnel laws.

On January 17, 1982, we received an allegation that [redacted] an employee of [redacted] had been improperly RIFed at the instruction of [redacted] in order to give preference to a relative of Congressman Conte.

b6

After a thorough investigation, my office has concluded that the allegation is unsubstantiated and [redacted] was not responsible for or involved in any prohibited personnel practice.

b6

We have closed our file on the matter. (Please see enclosed a copy of our letter to Mr. Timothy Ryan.)

With respect,

William O'Connor

KWOC/lmb

Enclosure

cc: [redacted]

b6

October, 1983

180761 G

Mr. James Baker
Chief of Staff
White House
Washington, D. C.

Dear Mr. Baker:

On behalf of many regulated motor carriers, by the Interstate Commerce Commissions, we would like to bring to your attention the following information.

In the New England area some of the staff members have government cars assigned to them which they use to travel to and from their homes at the tax payers expense.

For Example, at the Portland, Maine office of ICC [REDACTED] [REDACTED] He has a government car and uses the same to travel to and from his home to his office, driving about 35 miles a day. b6

At Springfield, Mass., two staff members use government cars to travel to and from their homes to the Springfield, Mass. office. Such travel involves about 20 miles per day. One staff member lives in Holyoke and the other resides in Wilbraham, Mass.

Another wasteful practise involves that of [REDACTED] James Perry, who lives in Westfield, Mass. and is the District Super- [REDACTED] This transportation of a government car to and from his work is about 70 miles daily. b6

There are other incidents of wasteful practises in the New England area, and we are sure if other regions were investigated, the same situations would exist.

A similar situation exists in the New England area involving staff members of the Federal Highway Administration of the U. S. Dept. of Transportation. In the interest of the tax payers, these agencies, as well as all Federal agencies, should be looked into with a view towards eliminating wasteful practises of these government cars.

This letter, for obvious reasons, is not signed, but the reader can be assured that the many motor carriers that are sending this information to you wish to advise that such information is accurate.

Thanking you for any action that you deem necessary.